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**Birch, Stewart, Kolasch & Birch, LLP**

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<b>To:</b>	Examiner Psitos - Group 2653	<b>From:</b>	Esther H. Chong
<b>Fax:</b>	(703) 872-9306	<b>Date:</b>	July 13, 2004
<b>Phone:</b>	(703) 308-1598	<b>Pages:</b>	4 (including cover sheet)
<b>Your Ref.:</b>		<b>Our Ref.:</b>	3449-0132P
<b>Re:</b>	US Appln. No. 09/664,360	<b>CC:</b>	

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

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**Comments:****Request for New Office Action**

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VIA FACSIMILE (703) 872-9306

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PATENT  
3449-0132P

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Jin-Tae ROH	Conf.:	3954
Appl. No.:	09/664,360	Group:	2653 ✓
Filed:	September 18, 2000	Examiner:	A. PSITOS
For:	OPTIMAL RECORDING METHOD FOR OPTICAL RECORDING MEDIA AND OPTICAL RECORDING MEDIUM STORED WITH INFORMATION ABOUT OPTIMUM RECORDING CONDITIONS		

**REQUEST FOR NEW OFFICE ACTION**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 13, 2004

Sir:

Further to the telephone conversation with Examiner Psitos on July 13, 2004, Applicant respectfully requests issuance of a new Office Action that replaces the Office Action mailed on June 16, 2004.

In connection with the above-identified application, Applicant filed a Preliminary Amendment on June 10, 2004. A stamped copy of the June 10, 2004 postcard is attached herewith as the proof of this filing. However, on June 16, 2004 the Examiner issued the Office Action without consideration of the June 10, 2004 Preliminary Amendment. Therefore, Applicant respectfully requests issuance of a new Office Action taking fully into consideration the Preliminary Amendment filed on June 10, 2004.

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U.S. Appln. No. 09/664,360  
Attorney Docket No. 3449-0132P  
Page 2

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASH & BIRCH, LLP

By Esther H Chong #40,953  
for James T. Eller, Jr. #39,538

P.O. Box 747  
Falls Church, VA 22032-0747  
(703) 205-8000

JTE/EHC:lmh

Papers Filed herewith on: 6-10-04  
DOCKET NO.: 3449-132P ATTY.: JTE  
APPLICANT(S): Jia-Tae ROW  
APPLN. NO. 09/644,360 FILED: 8-18-00  
PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.114(RCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Craftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-Ink  
☐ Completion of Filing Requirements, PCT/DO/EO/905  
or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☒ Amendment: Preliminary  
☒ Transmt Ltr ☒ Large Entity ☐ Small Entity  
☐ Response \_\_\_\_\_  
☐ Information Discl Stmt. PTO-1449(s) \_\_\_\_\_ doc(s)  
☐ PTO/ISA/210  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal ☐ Sequence Listing  
☒ FEES: \$230.00 (CK902DL16)  
☐ Letter: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

Receipt is hereby acknowledged of the papers as indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: ASAP  
Handcarry: \_\_\_\_\_

DOCKET NO. 3449-132P

